

EXHIBIT 6

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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3
4 THE AUTHORS GUILD, INC., et)
4 al.,)Civil Action No.
5) 05 CV 8136 (DC)
5 Plaintiffs,)
6)
6 vs.)
7)
7 GOOGLE, INC.,)
8)
8 Defendant.)
-----)
9 Friday, April 13, 2012
10 2:36 p.m.
11
12

13 Videotaped Deposition of ERIC ZOHN,
14 held at the offices of William Morris
Endeavor, 1325 Avenue of the Americas,
15 New York, New York 10019, pursuant to
Subpoena, before Otis Davis, a Notary
Public of the State of New York.

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25 (#442672)

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1 MS. ZACK: Objection, leading.

2 A. Any agent has a fiduciary duty to its
3 client, to the principal. We're not unlike any other
4 agent. We have a fiduciary duty to act in our
5 client's best interest. It's not an arm's-length
6 relationship, it's not a partnership. We're an
7 agent, we work for our clients.

8 Q. How many authors are represented by the
9 agents in the William Morris Endeavor book
10 department?

11 MS. ZACK: Is that currently you mean?

12 THE WITNESS: It doesn't matter currently
13 or not.

14 A. I don't really know the answer to that,
15 because there are authors we represent who have
16 written a lot of books, some we represent, some we
17 don't, there are books we represent and the clients
18 aren't here anymore because of the way the agency
19 papers are -- I mean, we probably have active current
20 authors, several hundred.

21 Q. Can you name some of those authors?

22 A. Sure I could.

23 Q. Would you name some of those authors? . .

24 A. We represent Judy Blume, we represent
25 Daniel Keyes, we represent Kathy Reichs, we represent

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1 Steven Leavitt, Stephen Dubner, fiction, nonfiction,
2 literary fiction, all sorts of genres.

3 Q. In terms of the size of various literary
4 agencies, where does William Morris Endeavor rank in
5 terms of the size of literary?

6 A. Well, as far as the number of agents and
7 clients, we're I believe the biggest. Probably the
8 biggest -- probably the biggest in all respects.

9 Most literary agencies are very small.

10 Q. Do you recall whether J.J. Abrams is one
11 of your book clients?

12 A. He is. He was a client in all areas. We
13 did a book deal for him. I think the representation
14 overall is in flux, but I know we are still
15 representing the book that we sold for him. It's a
16 qualified yes.

17 Q. Is Diane Keaton one of your literary
18 clients?

19 A. We sold one book for Diane Keaton. I do
20 not believe she is a client otherwise.

21 Q. Is John Waters one of your literary
22 clients?

23 A. Yes, he is.

24 Q. Is Alice Munro one of your literary
25 clients?

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1 questions and I'll object if I think they're
2 incorrect.

3 Q. Mr. Zohn, will you understand what I'm
4 asking if I refer to the Library Project to include
5 the scanning of books in libraries and making certain
6 uses of those books scanned in libraries?

7 A. If they're without permission?

8 Q. Yes.

9 A. Yes, I understand that distinction.

10 Q. Does William Morris Endeavor have a view
11 as to whether the Google Books Search Library Project
12 has an effect on the potential market for any books?

13 A. The view of the agency is that scanning
14 books to create a search database that may also
15 display snippets from the books is probably
16 beneficial to authors, at least who appear high in
17 the results of the search, but it's narrow. It's
18 using the books to create a database that's
19 searchable. That we believe is beneficial to the
20 author. Anything that you may also do beyond that
21 you'd have to ask me specifically.

22 Q. Why does William Morris Endeavor take
23 that view?

24 A. That it's beneficial to the authors?

25 Q. That view, yes.

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1 A. Because to us it's analogous to a Google
2 Web site search. I think we all know how important
3 the results -- let me start that again.

4 Many people use Google as their search
5 engine and people want to come up high in the search
6 results and they want to -- people even want to come
7 up next to the search results or pay to be on top of
8 the search results, and I use that personally. I
9 search Google all the time.

10 It's a very beneficial tool for me and
11 for my colleagues. When we search for any sort of
12 information on the Internet, it seems to us that
13 our -- that a similar tool for books would be as
14 beneficial to the authors as it is to the Web sites
15 that come up high in the Google search.

16 Q. How does that affect the potential market
17 for books?

18 A. Well, if people are searching for
19 information and it becomes easy to find your product
20 in a very, very, very, very crowded marketplace where
21 there are -- I don't even know the number of how many
22 books are published every year, year after year after
23 year, I think any tool that helps readers or buyers
24 find your product above someone else's is beneficial.

25 Q. Does William Morris Endeavor have a view